

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WISCONSIN

ROBERT DORGAY,

Plaintiff,

v.

Case No.: 22-CV-0847

PAUL REIFF, STEVE BOEHM,
MICHAEL DEDERICH, HARNOLD
ALMAS, BRADLEY KWIATKOWSKI and
ANDREW SCHNELL

Defendants.

**DEFENDANTS PAUL REIF AND STEVE BOEHM'S STATEMENT OF PROPOSED
FINDINGS OF FACT IN SUPPORT OF THEIR MOTION FOR SUMMARY
JUDGMENT**

Defendants, Paul Reif and Steve Boehm (collectively "Defendants"), by their attorneys, Crivello Carlson, S.C., respectfully submit the following Statement of Proposed Findings of Fact ("DPFF") in support of their Motion for Summary Judgment:

1. In August 2015, Defendant Steve Boehm was a probation agent with the Wisconsin Department of Corrections, Division of Community Corrections. (Dkt. 1 at ¶ 15).
2. In August 2015, Defendant Paul Reif was a probation agent with the Wisconsin Department of Corrections, Division of Community Corrections. (Dkt. 1 at ¶ 15).
3. On August 26, 2015, at around 5:00 p.m., Boehm and Reif and several Milwaukee Police Department officers went to a residence to check for Dorgay at the residence. (Declaration of Steve Boehm, Aug. 1, 2023, ¶ 3).

4. The officers, Reif and Boehm were sent to the residence because they were working to locate and apprehend Dorgay who had an active warrant for his arrest. (Decl. Boehm ¶ 3).

5. Once the officers, Reif, and Boehm arrived at the residence, they knocked and announced themselves. (Decl. Boehm ¶ 4).

6. The resident of the home opened the door to the apartment and allowed the officers, Reif, and Boehm into the apartment. (Decl. Boehm ¶ 5).

7. At that time, Mr. Boehm observed Dorgay who was in a hallway in the dining area of the apartment. (Decl. Boehm ¶ 6).

8. Mr. Boehm then observed Mr. Reif approach Dorgay and inform him that there was an active warrant for his arrest. (Decl. Boehm ¶ 7).

9. As soon as Mr. Reif told Dorgay the officers were at the residence pursuant to the active warrant for his arrest, Dorgay took a step back from Mr. Reif toward the hallway from which he had just appeared. (Decl. Boehm ¶ 8).

10. Mr. Reif then took hold of Dorgay's right arm while a Milwaukee Police Department officer took hold of his left arm. (Decl. Boehm ¶ 9).

11. Dorgay then attempted to pull his right arm out of Mr. Reif's and the officer's grasp. (Decl. Boehm ¶ 10).

12. Mr. Reif verbally directed him to stop resisting several times. (Decl. Boehm ¶ 11).

13. Despite the direction, Dorgay continued to struggle by tensing and pulling his arms. (Decl. Boehm ¶ 12).

14. Mr. Reif then worked with the officer to decentralize Dorgay by controlling his descent to the floor in the area between the apartment dining area and the kitchen. (Decl. Boehm ¶ 13).

15. Once Dorgay was physically controlled on the floor, Mr. Reif and the officer placed him in handcuffs. (Decl. Boehm ¶ 14).

Dated this 3rd day of August, 2023.

By: s/ Micaela E. Haggenjos
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